

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 312865
ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 SS-15
NSC-05 /053 R

DRAFTED BY EB/AN:JBMAGNOR/CAB:JCHESSEN:BA
APPROVED BY EB/OA:MHSTYLES
EUR/CE:SKLINGAMAN
CAB:RJOMELIA (SUBS)
EB/AN:RABROWN

-----300033Z 025778 /71

R 292226Z DEC 76
FM SECSTATE WASHDC
TO AMEMBASSY BERN
INFO AMEMBASSY LONDON
AMEMBASSY PARIS

LIMITED OFFICIAL USE STATE 312865

E.O. 11652: N/A

TAGS: EAIR

SUBJECT: CIVAIR: RENEWAL OF MEMORANDUM OF UNDERSTANDING
ON CHARTERS

REF: A) BERN 4838, B) BERN 4730

1. BACKGROUND. MEMORANDUM OF UNDERSTANDING UNDER WHICH
BOTH GOVERNMENTS RECOGNIZE THE APPLICABILITY OF CHARTER-
WORTHINESS CRITERIA OF THE COUNTRY OF FLIGHT ORIGIN WILL
EXPIRE BY ITS OWN TERMS ON DECEMBER 31, 1976. USG HAS
DEFERRED DECISION ON EXTENDING IT DUE TO UNCERTAINTIES
CONCERNING EUROPEAN ACCEPTANCE OF NEW US ABC CHARTERS,
SWISS RESERVATIONS ON ACCEPTABILITY OF US ABC'S PRIOR TO
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 312865

DECEMBER 31, 1976, AND TO POSSIBILITY OF CONCLUDING MORE
FAVORABLE ABC ACCEPTANCE TERMS IN THE KEY UNITED KINGDOM
MARKET. CHARTER TALKS WITH UK RECENTLY BECAME STALEMATED
ESSENTIALLY OVER ISSUE OF ABC SUBSTITUTION FROM GENERAL
PUBLIC. IN MEANTIME, US CARRIER HAS REPORTED RUMORS THAT
SWISS AUTHORITIES ARE READY TO EXTEND THE MOU, BUT WANT

USG TO TAKE THE INITIATIVE. (FYI. WE SUSPECT THAT SWISS RESERVATIONS REGARDING US ORIGIN ABC'S ARE SOLELY FOR ECAC'S BENEFIT AND MAY NOT BE ENFORCED AS WE SUSPECT THEIR BAN ON TGC SUBSTITUTION ON SERIES OF FLIGHTS PROBABLY WAS NOT ENFORCED IN 1976. END FYI.)

2. DEPARTMENT IS PREPARED TO AUTHORIZE BY SEPARATE MESSAGE AN EXCHANGE OF LETTERS BETWEEN SENIOR EMBASSY OFFICIAL AND SENIOR AIR OFFICE OFFICIAL EXTENDING MOU UNTIL DECEMBER 31, 1977 IF EMBASSY OBTAINS INFORMAL ORAL CONFIRMATION THAT ALL OF THE FOLLOWING USG ASSUMPTIONS ARE IN FACT CORRECT:

A. SWISS AUTHORITIES WILL CLEARLY ACCEPT US ORIGIN ABC'S DURING 1977 UNDER US CAB CHARTERWORTHINESS CONDITIONS WHERE A SERIES OF FLIGHTS, I.E., "MORE THAN THREE FLIGHTS BETWEEN THE SAME PAIR OF POINTS WITHIN ANY 90 DAY PERIOD BY THE SAME CARRIER FOR ONE OR MORE CHARTERERS," IS NOT INVOLVED. (QUOTATION FROM PARA 5 OF MEMORANDUM OF CONSULTATION OF OCTOBER 31, 1975)

B. IN LIGHT OF THE RECENT DECISION BY ECAC TO ACCEPT US ORIGIN ABC'S AT 45 DAYS PRELISTING, THE SWISS AUTHORITIES WILL NOT OBJECT TO 45 DAYS PRELISTING WHERE A SERIES OF FLIGHTS IS INVOLVED.

C. WHILE USG ANTICIPATES BROADER ACCEPTANCE IN EUROPE OF ONE WEEK DURATION ABC'S, AND RECOGNIZES THAT VAST MAJORITY OF FLIGHTS WILL HAVE LONGER DURATIONS, SHOULD EITHER PARTY PERCEIVE THAT A PROBLEM IS ABOUT TO ARISE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 312865

IN CONNECTION WITH ONE WEEK ABC'S IN ANY PROPOSED SERIES, THE CONSULTATION MECHANISM PROVIDED IN PARAGRAPH E.3 WILL BE PROMPTLY UTILIZED.

D. IN LIGHT OF FACT THAT PRESENT TERMS IN THE SECOND SENTENCE OF FOOTNOTE 1 OF THE MOU ALREADY DEAL WITH ABC SUBSTITUTION FROM THE GENERAL PUBLIC, THERE IS NO NEED TO AMEND THE MEMORANDUM SHOULD THE SWISS AUTHORITIES WISH TO RETAIN THE RIGHT TO APPLY THEIR CRITERIA TO SUBSTITUTION ON A SERIES OF US ORIGIN ABC'S.

3. ACTION REQUESTED: EMBASSY SHOULD DISCUSS ABOVE INFORMALLY WITH SWISS AIR OFFICE AUTHORITIES AND ADVISE DEPARTMENT ABOUT REACTIONS.

ROBINSON

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, SUPPLEMENTAL AIRLINES, AIR ROUTE APPLICATIONS, AVIATION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE312865
Document Source: CORE
Document Unique ID: 00
Drafter: JBMAGNOR/CAB:JCHESN:BA
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760475-0809
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976126/aaaaaepv.tel
Line Count: 114
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 BERN 4838, 77 BERN 4730
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 26 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 APR 2004 by BoyleJA>; APPROVED <12 AUG 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: RENEWAL OF MEMORANDUM OF UNDERSTANDING ON CHARTERS
TAGS: EAIR, US, SZ
To: BERN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006